

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
3

4 MGM Grand Hotel, LLC,

5 Plaintiff

6 v.

7 Kyung Shin aka Kyung S. Shin, et al.,

8 Defendants
9

2:16-cv-02347-JAD-NJK

**Order Granting Motion for
Reconsideration**

[ECF No. 53]

10 MGM Grand Hotel, LLC brings this suit to recover its losses caused when defendant
11 Kyung Shin used a fraudulently issued bank draft for gaming credit and other benefits. In its
12 amended complaint against Shin and the issuing financial institutions Canadian Imperial Bank of
13 Commerce and CIBC Securities, Inc. (collectively, “CIBC”), MGM prays for punitive damages
14 against all defendants.¹ CIBC moved to dismiss this punitive damages “claim” against it, arguing
15 that the amended complaint lacks facts to support such an award.² When MGM failed to file a
16 timely opposition, I granted the motion to dismiss under Local Rule 7-2(d).³ MGM filed its
17 opposition the following day and now moves to vacate my order granting the motion to permit its
18 belated opposition to be considered on its merits.⁴

19 I find that MGM has demonstrated excusable neglect and good cause to grant the
20 extension and request for reconsideration. Accordingly,

21 IT IS HEREBY ORDERED that MGM’s Motion for Reconsideration and Extension of
22 Time [ECF No. 53] is **GRANTED** and the Order Granting the Motion to Dismiss [ECF No. 52]
23

24 _____
25 ¹ ECF No. 33.

26 ² ECF No. 45.

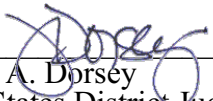
27 ³ Nev. L.R. 7-2(d).

28 ⁴ ECF No. 53

1 **is VACATED;**

2 IT IS FURTHER ORDERED that MGM's belated opposition to CIBC's Motion to
3 Dismiss [ECF No. 51] is deemed timely; CIBC has until March 29, 2017, to file its reply in
4 support of the Motion to Dismiss [ECF No. 45]. The Clerk of Court is directed to reinstate
5 the Motion to Dismiss at ECF No. 45.

6 DATED: March 22, 2017

7
8 
9 Jennifer A. Dorsey
United States District Judge